

**REMARKS**

Claims 1-19 are pending in this application. By this Amendment, claims 12 and 15 are amended to address the objection thereto, and claims 4 and 7 are amended to overcome the rejection under 35 U.S.C. §112, second paragraph. New claims 16-19 are added.

No new matter is added by this Amendment. Claims 16 and 17 are supported in the original specification, for example, on page 4, lines 25-28, describing that the metal oxide particles may have a mean particle diameter of 50 nm or less. Claim 18 is supported in the original specification, for example on page 9, line 37 to page 10, line 4, describing "first zirconia is aggregated and then ceria is aggregated around the aggregated zirconia cores when the metal oxide particles are aggregated, e.g. by concentrating the solution." Claim 19 is supported in the original specification, for example, on page 8, lines 22-26, describing that the solvent may be removed and dried out from a raw sol solution. Amended claim 4 is supported in the original specification, for example, on page 3, lines 21-22, describing that the catalyst may be used at the temperature of 1,000°C or more.

In view of the foregoing amendments and the following remarks, reconsideration of this application is respectfully requested.

**I. Allowable Subject Matter**

Applicant notes with appreciation that claims 1-15 were indicated to be allowable over the prior art. In addition, Applicant notes with appreciation that claim 1-3, 5-6, 8-11 and 13-14 are allowed.

**II. Claim Objections**

Claims 12 and 15 were objected to because of alleged informalities. Applicant has amended claim 12 by replacing the word "with" with a comma and to add a comma after the word "ceria" as suggested by the Patent Office. In addition, Applicant has amended claim 15

to correct a typographical error as suggested by the Patent Office. Therefore, Applicants respectfully request the Patent Office to withdraw the objections.

**III. Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 4 and 7 were rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. This rejection is respectfully traversed.

Claim 4 is amended to recite "...the exhaust gas purifying catalyst is exposed to an environment having a temperature of 1,000°C or more."

Claim 7 is amended to depend from claim 6, which recites that the catalyst further comprises one or more metal oxides other than ceria and zirconia.

For all the foregoing reasons, Applicants respectfully submit that the rejections under 35 U.S.C. §112, second paragraph are overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

**IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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